
HOUSE BILL No. 1209

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-6-2-21; IC 34-30-21.

Synopsis: Immunity for reasonable use of corporal punishment. Provides immunity to a teacher, school administrator, or school principal from civil liability resulting from the reasonable use of corporal punishment.

Effective: July 1, 2005.

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January 6, 2005, read first time and referred to Committee on Education.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1209

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-6-2-21 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 21. (a) "Child", for
3 purposes of IC 34-23-2, has the meaning set forth in IC 34-23-2.
4 (b) "Child", for purposes of IC 34-30-11, includes a child of any
5 age.
6 (c) "Child", for purposes of **IC 34-30-21 and** IC 34-31-4, means an
7 unemancipated person who is less than eighteen (18) years of age.
8 SECTION 2. IC 34-30-21 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2005]:
11 **Chapter 21. Immunity for Reasonable Use of Corporal**
12 **Punishment**
13 **Sec. 1. This chapter applies to the following:**
14 **(1) A teacher.**
15 **(2) A school administrator.**
16 **(3) A school principal.**
17 **Sec. 2. (a) This chapter does not apply to an individual described**



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1 in section 1 of this chapter who does not act in good faith.

2 (b) For purposes of this chapter, an individual described in
3 section 1 of this chapter does not act in good faith if the individual's
4 conduct results in a violation of a written policy:

5 (1) of an entity that the individual is an employee or agent of;
6 and

7 (2) that prohibits the use of corporal punishment.

8 Sec. 3. An individual described in section 1 of this chapter is
9 immune from civil liability based on an act or omission related to
10 the reasonable use of corporal punishment to discipline a child.

11 SECTION 3. [EFFECTIVE JULY 1, 2005] IC 34-30-21, as added
12 by this act, applies to causes of action accruing after June 30, 2005.
13 The enactment of IC 34-30-21 by this act is not intended to impose
14 liability or confer immunity from liability on any individual who
15 used corporal punishment before July 1, 2005, or who is not an
16 individual covered within the scope of IC 34-30-21, as added by
17 this act.

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